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Division of Law
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Attorney for Plaintiffs

FILED

DEC 6 2000

GERALD C. ESCALA
J.S.C.

By: Susan Carboni
Deputy Attorney General
(973) 648-2894

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION: BERGEN COUNTY
DOCKET NO. C-330-00E

JOHN J. FARMER, JR., ATTORNEY
GENERAL OF NEW JERSEY; MARK S.
HERR, DIRECTOR OF THE NEW
JERSEY DIVISION OF CONSUMER
AFFAIRS; and THE NEW JERSEY
STATE BOARD OF DENTISTRY,

Plaintiffs,

v.

JOSE A. ULLOQUE,

Defendant

CERTIFIED TRUE COPY

Civil Action

CONSENT ORDER AND JUDGMENT

This matter was opened to the Court by John J. Farmer, Jr., Attorney General of New Jersey, counsel for plaintiffs, by the Director of the Division of Consumer Affairs, Mark S. Herr, and by the New Jersey State Board of Dentistry, Deputy Attorney General Susan Carboni appearing,

pursuant to N.J.S.A. 45:1-23, 56:8-3, 45:6-1 et seq., 56:8-8 and 56:8-13. It appears upon a review of the Verified Complaint, supporting certifications and exhibits submitted by the Attorney General that there is sufficient basis to find that the defendant Jose A. Ulloque practiced dentistry and held himself out as a practicing dentist, and thus his conduct constituted the unlicensed practice of dentistry in violation of N.J.S.A. 45:6-13 and 45:6-19; and constituted a violation of the Consumer Fraud Act, pursuant to N.J.S.A. 56:8-2. The defendant has acknowledged that his conduct was in violation of the dentistry licensing laws, as well as the Consumer Fraud Act, and has agreed to the entry of a Consent Order and Judgment settling this matter. It further appearing that the entry of a permanent injunction against the defendant is warranted, and for good cause shown,

IT IS ON THIS 6th DAY OF December, 2000,
HEREBY ORDERED AND AGREED THAT:

1. Defendant Jose A. Ulloque shall be and hereby is permanently enjoined from offering or performing any services or engaging in any practice requiring licensure in the State of New Jersey as a dentist or dental hygienist or requiring registration in the State of New Jersey as a dental assistant unless and until duly licensed or registered to do.

2. Defendant shall be and hereby is permanently enjoined from advertising, holding himself out as duly licensed, registered or authorized to render services in the State of New Jersey as a dentist,

dental hygienist or dental assistant unless and until duly licensed, registered or authorized to render such services in this State.

3. Defendant shall be required to pay a civil penalty of \$4000.00. Defendant shall submit an amended Chapter Thirteen plan to Judge Rosemary Gambardella, Chief Justice of the United States Bankruptcy Court, Case No. 0034635. Payments of \$66.66 per month will be included in the amount submitted monthly to the trustee in bankruptcy under the Chapter Thirteen plan, John Scura, P.O. Box 10215, Fairfield, NJ 07004, who will then forward payment to the Board. Payment is to be made in the form of a certified check or money order payable to the State of New Jersey. It is expected that the first monthly payment will be made in January, 2001, and will continue throughout the life of the Bankruptcy Plan. Payments will thereafter due monthly until defendant's complete monetary obligation is satisfied. Payments are to be forwarded to the attention of Kevin B. Earle, Executive Director, Board of Dentistry, 124 Halsey Street, Sixth Floor, P.O. Box 45005, Newark, New Jersey 07101.

4. Defendant shall provide plaintiff New Jersey State Board of Dentistry with immediate notification of any change of residential address until all obligations set forth in this Order have been successfully fulfilled.

5. Should defendant cease making payments pursuant to the Bankruptcy Plan for more than 60 days at any point prior to the

satisfaction of his \$4000 obligation to the State, the full amount of that part of his obligation which remains unsatisfied shall become due immediately.

Gerald C. Escala
Gerald C. Escala, J.S.C.

JOHN J. FARMER, JR.
ATTORNEY GENERAL OF NEW JERSEY

By: Susan Carboni
Susan Carboni
Deputy Attorney General
Counsel for Plaintiffs

Dated: 12/6/00

Consented to as to form and entry:

Jose A. Ulloque
Jose A. Ulloque, Defendant

Dated: 12/4/00

Gilberto Garcia, Esq.
Gilberto Garcia, Esq.
Attorney for Defendant

Dated: 12/5/00